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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

STATE OF WYOMING, et al.,	)	
	)	
<i>Petitioners,</i>	)	Civil Case No. 15-CV-43-SWS
	)	(consolidated with 15-CV-41-SWS)
v.	)	
	)	
UNITED STATES DEPARTMENT OF	)	<b>FEDERAL RESPONDENTS’</b>
THE INTERIOR, et al.,	)	<b>NOTICE OF LODGING OF</b>
	)	<b>CORRECTED ADMINISTRATIVE</b>
<i>Respondents.</i>	)	<b>RECORD</b>
	)	
	)	
	)	

Respondents Sally Jewell, Secretary of the Interior, the United States Department of the Interior, the United States Bureau of Land Management (“BLM”), and Director of the BLM Neil

Kornze hereby give notice of the lodging of the corrected Administrative Record for BLM's Rule on Hydraulic Fracturing on Federal and Indian Lands, 80 Fed. Reg. 16,128–16,222 (Mar. 26, 2015).

Federal Respondents noticed and certified on August 27, 2015, and lodged with the Court and served on all parties on August 28, 2015, the original Administrative Record. (ECF No. 113.) That original Administrative Record contains both a Public Submissions Record and a Record of all other documents considered in the course of the rulemaking on nine discs. Specifically, the original record comprises (i) the public submissions, Bates numbers DOIPS0000001 to DOIPS0435903, contained on five discs labeled “Admin Records Production – Public Submissions;” and (ii) the record of all other documents considered in the course of the rulemaking, Bates numbers DOIAR0000001 to DOIAR0110783, contained on four discs labeled “Admin Record Production.” All of those discs also include an Index hyperlinked to the record documents. The “Admin Record Production” discs also contain a Privilege Log for documents that were withheld or redacted for privilege or exemption.

In October, after Petitioners shared their objections to the administrative record, Federal Respondents began a broad review of administrative record documents withheld for privilege. Federal Respondents sought to correct the administrative record, including releasing many previously-withheld documents. On November 6, 2015, Petitioners filed their Motions to Complete and to Modify the Administrative Record. (ECF Nos. 137 & 138.) Because responses to Petitioners' Motions were due on November 20, 2015, and because Federal Respondents could not complete their review by that date, Federal Respondents sought an extension to January 19, 2016 for filing their response briefs (ECF No. 140), which the Court granted (ECF

No. 145). The Court also ordered that Federal Respondents lodge a corrected or supplemental administrative record by January 19, 2016. (ECF No. 145 at 4.)

In accordance with that Order, Federal Respondents now lodge and serve the corrected Administrative Record, which was assembled by BLM and the Department of the Interior in accordance with Local Rule 83.6(b)(1)-(2). The corrected record replaces the four discs in the original record labeled “Admin Record Production,” as well as the Privilege Log and corresponding portion of the Index. The corrected Administrative Record does not replace the five previously-lodged discs labeled “Admin Records Production – Public Submissions,” which remain part of the Administrative Record in this matter. None of the public submission documents were withheld or redacted for privilege and none were considered in the review of documents withheld from original record.

Counsel for Federal Respondents sent the corrected Administrative Record to the Clerk of Court on January 15, 2016, by Fedex Priority Overnight service, for delivery on or before January 19, 2016. (ECF No. 183). That package contains:

1. two thumb drives, each with the corrected Administrative Record (including, in electronic form, the record documents, Index, Privilege Log, a log of documents stricken from the corrected record, and a log of documents previously withheld and now released<sup>1</sup>),
2. two printed copies of the Index for the corrected Administrative Record,

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<sup>1</sup> Documents previously withheld were assigned only a single Bates page number. To avoid re-numbering the entire record, documents previously withheld and now released use the same Bates number in the corrected record, but with a suffix number for each page of the document. For example, the document at Bates number DOIAR0000704 was withheld in the original record. In the corrected record, that document has been released in full, and is still assigned the Bates number DOIAR0000704, but page 2 of the document is numbered DOIAR0000704\_0002, page 3 is numbered DOIAR0000704\_0003, and so on.

3. two printed copies of the Privilege Log for all documents in the corrected Administrative Record that were withheld or redacted for privilege or exemption,
4. two printed copies of the log of documents stricken from the corrected record, and
5. two printed copies of the log of documents previously withheld and now released in the corrected record.

In addition, counsel for Federal Respondents have served on counsel for each party a thumb drive containing the corrected Administrative Record (including, in electronic form, the record documents, Index, Privilege Log, a log of documents stricken from the corrected record, and a log of documents previously withheld and now released), along with a Privilege Log in printed form. Those items were sent to counsel for each party on January 15, 2016, by Fedex Priority Overnight service, for delivery on or before January 19, 2016.

Attached to this Notice is the Certification of the Corrected Administrative Record.

Respectfully submitted this 19th day of January 2016.

/s/ William E. Gerard  
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*Attorneys for Federal Respondents*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of January 2016 a copy of the foregoing **Federal Respondents' Notice of Lodging of Corrected Administrative Record**, along with the **Certification of the Corrected Administrative Record**, was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ William E. Gerard  
WILLIAM E. GERARD